

## **EXHIBIT 5**

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## Exploring the origins of homophobia, malice, and cyber-bullying on the Internet

mercredi 6 janvier 2016

### National Geographic Society, Toronto Star respond to Douglas Handshoe lawsuit, conspiracy theories

Attorneys for the [National Geographic Society](#) have just filed a motion to dismiss Mississippi blogger Douglas K. Handshoe's legal claims against the renowned non-profit organization, filed in U.S. district court by Handshoe in mid November, 2015.

#### INTRODUCTION

This lawsuit is the latest chapter in a long-running feud between Plaintiff and certain of NGS's co-defendants that has been going on for at least five years and has spawned at least seven lawsuits in two separate countries.<sup>1</sup> Now, Plaintiff seeks to drag NGS—which was not a party to any of these previous actions—into his legal quagmire. The sole ground for including NGS as a defendant in this latest complaint: a notice that NGS sent to the internet service provider hosting the website of non-party Slabbed New Media, LLC ("Slabbed") on January 7, 2013—almost three years ago—demanding that a photograph clearly displaying NGS's copyright be removed from Slabbed's website.

Based on this slender reed, Plaintiff seeks to manufacture causes of action against NGS for supposed copyright misrepresentation and, even more incredibly, for civil conspiracy. He also asks this Court to take the entirely unnecessary step of resolving the question of whether

[Brief of the National Geographic Society](#)

Citing Handshoe's self-created "legal quagmire" [National Geographic](#) lays out numerous grounds for dismissal of the claims, which include "civil conspiracy."

A few days ago, Torstar Corporation, publisher of the *Toronto Star* newspaper, filed its reply to the same lawsuit. This is the second time Handshoe has sued the *Star* in the U.S. District Court for the Southern District of Mississippi. His previous defamation lawsuit against Canada's largest daily was thrown out, but before that occurred Handshoe sued the same company a second time, with new made up claims. Handshoe's lawsuits, which thus far all seem to get thrown out, are clogging an already overburdened Mississippi judicial system, and causing those he sues to waste financial resources and time.

According to its web site, "The National Geographic Society has been inspiring people to care about the planet since 1888. It is one of the largest nonprofit scientific and educational institutions in the world. Its interests include geography, archaeology and natural science, and the promotion of environmental and historical conservation." In addition to local counsel, National Geographic is represented by Lisa R. Bonanno and Ellen S. Kennedy, both from a major Washington, D.C. law firm.

Handshoe accuses NGS and the Star of conspiring with the owners of a Nova Scotia wilderness lodge, and a Nova Scotia magazine publisher and journalist, to injure him through a coordinated attempt to silence his purported investigation of a long-ago concluded corruption scandal in Louisiana.

Handshoe claims that the conspiracy involved using notices of copyright infringement that contained intentional misrepresentations and damaged Handshoe's shell company Slabbed New Media, LLC, which is currently in bankruptcy court. National Geographic points out numerous alleged deficiencies in Handshoe's legal claims, and even cites a decision of Mississippi federal judge Keith Starrett issued in mid December, 2015, that determined Handshoe has a "plain misunderstanding of copyright law." Handshoe purports that he somehow has a right to publish a photograph of [Trout Point Lodge](#) owner Charles Leary taken and copyrighted by NGS, while also claiming that NGS's notice to his web host that he was infringing copyright was somehow a misrepresentation that caused injury.

Leary was a delegate to the 2010 Geotourism Summit held by NGS, according to Trout Point's blog. The Lodge was a finalist in the 2009 NGS [Geotourism](#) competition on the theme "Power of Place."

#### Nombre total de pages vues

 38,972

#### Pages

- [Accueil](#)
- [Anne-Marie Vandenweghe](#): Updated
- [Kevin P. Lemaire](#)
- [Douglas K. Handshoe, CPA, Blogger](#)

#### Messages les plus consultés

[The Slabbed Nation Part 1\(a\) Anne-Marie Vandenweghe aka unslabbed aka Whitmergate, the early years](#)

["The distinction between past, present, and future is only a stubbornly persistent illusion." Douglas K. Handshoe on Slabbed](#)

[Halifax Chronicle-Herald newspaper defends, removes legal-clown Handshoe's "homophobic" libel lawsuit to federal court of Judge Guirola](#)

[Citing eighty defenses in a 29-page document, the Halifax \(Nova Scotia\) Chronicle-Herald newspaper has defended a defamation lawsuit filed...](#)

 [Douglas K. Handshoe Liquidating assets](#)  
Douglas K. Handshoe had a few comments to make recently on his involvement in the Bankston/Goodson bribery, racketeering, and money launder...

[No Tea, No Shade, Just Sock Puppets](#)  
A short while ago, Daniel Abel made some interesting arguments to the Federal District Court for the Eastern District of Louisiana regarding...

 [Douglas Handshoe, CPA loses fight to block \\$180,000 copyright infringement judgment under the SPEECH Act](#)

[Justice may finally be coming, her sword drawn, for inveterate blogger Douglas Handshoe, a homophobic Mississippi accountant who seems to...](#)

 [Handshoe, Goodson, Bankston, Vandenweghe, Lauricella: maybe Handshoe has been projecting his own life experiences onto others](#)

[Updated](#)  
In January, 2012, Slabbed blog publisher Douglas K. Handshoe demonstrated a remarkable memory. Remember back in the late 90s several stat...

 [The purported and not so personable personae of Anne-Marie Vandenweghe on slabbed \(and nola\), Part One](#)

[Some readers have--in response to this blog's first posts a few days](#)

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plaintiff:

The sole ground for including NGS as a defendant in this latest complaint: a notice that NGS sent to the internet service provider hosting the website of non-party Slabbed New Media, LLC ("Slabbed") on January 7, 2013—almost three years ago—demanding that a photograph clearly displaying NGS's copyright be removed from Slabbed's website.

Based on this slender reed, Plaintiff seeks to manufacture causes of action against NGS for supposed copyright misrepresentation and, even more incredibly, for civil conspiracy. He also asks this Court to take the entirely unnecessary step of resolving the question of whether Slabbed's use of NGS's copyrighted image on its website qualified as "fair use." The threadbare allegations in the Amended Complaint, however, contradict, rather than support, these claims.

The Amended Complaint is first subject to dismissal under Fed. R. Civ. P. 12(b)(1) and 12(b)(6) because, by Plaintiff's own admission, he does not have standing to bring a claim against NGS, having suffered no injury or been personally accused of violating any copyright. It is also subject to dismissal under Fed. R. Civ. P. 12(b)(6) as a shotgun pleading that fails to give fair notice to NGS as to what allegations are being made against it individually. Finally, the handful of specific allegations regarding NGS that can be gleaned from the Amended Complaint are patently insufficient to support Plaintiff's claims for numerous reasons, including the following:

- The Amended Complaint fails to adequately plead at least three essential elements of a claim under 17 U.S.C. § 512(f), requiring the dismissal of Count 5.
- Plaintiff's attempted civil conspiracy claim under Count 9 fails both because such a claim is preempted by the Federal Copyright Act, and because the Amended Complaint does not plausibly allege the fundamental requirement of an agreement between NGS and its alleged co-conspirators, and
- There is no actual case or controversy to support Plaintiff's request for a declaratory judgment and, consequently, this Court lacks subject matter jurisdiction over Count 10.

Because the Amended Complaint is deficient as a matter of law in both its form and content, NGS's Motion to Dismiss should be granted.

Notably, Handshoe has until today to file an amendment to yet another lawsuit he filed claiming "misrepresentation" under the Copyright Act, and also has to answer a "show cause" order from the federal court as why his last claim in that other lawsuit should not be dismissed. Handshoe has filed legal papers against dozens of persons and companies in multiple lawsuits over the past three years.

In 2012, the Chief Judge of the same federal court found Handshoe prone to "conspiracy theories" regarding Trout Point Lodge, a 12-room Nova Scotia hotel and its purported connection to an international money laundering scheme with former Louisiana politician Aaron Broussard, conspiracy theories that now have extended to major Canadian newspapers, journalists, and National Geographic.

Handshoe has not published any specific allegations about what role he believes Leary and Perret played in Broussard's crimes. It is possible this is because Handshoe does not have any information indicating Plaintiffs were involved in Broussard's criminal activity. Handshoe, has, however, made numerous more generalized allegations about connections between Leary, Perret, Abel, and Broussard. Some of these statements seem to be based in fact, others appear to be conspiracy theories that may or may not be substantiated.

What in 2012 "may or may not be substantiated" appears in 2016 as either the stark lunatic ravings of a true conspiracy theorist, or an attempt to use lawsuits to harass his enemies, or both. The New Orleans *Times-Picayune* newspaper retraced any and all implications that Trout Point Lodge was somehow involved with Broussard in two retractions published in 2010 and 2011. Handshoe has written on his blog that the retractions from the Pulitzer Prize winning newspaper owned by *Advance Publications* were coerced, and part of a massive international coverup.

Stay tuned for news on the Show Cause Order issued to Handshoe . . . .

Publié par [Randall Cajun](#) à 08:33

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Libellés : [Aaron Broussard](#), [conspiracy theories](#), [DMCA](#), [Douglas Kyle Handshoe](#), [Jennifer Handshoe](#), [Judge Halli Ozerden](#), [National Geographic Society](#), [Times-Picayune](#), [Toronto Star](#), [Trout Point Lodge](#)

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On May 9, 2013, Doug Handshoe, CPA, was openly gleeful that federal judge Susie Morgan had issued an Order telling attorney Daniel Abel to...

Chilling speech and avoiding discovery: the legal antics of a homophobic Mississippi blogger (he makes enemies everywhere he goes)

"intrepid, courageous patriots who understand our United States Constitution and believe in the necessity for absolute freedom of s...

#### Archives du blog

- ▼ 2016 (2)
  - ▼ janvier (2)
    - [National Geographic Society, Toronto Star respond...](#)
    - [Federal courts orders blogger Handshoe to show cau...](#)
- 2015 (18)
- 2014 (9)
- 2013 (20)

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